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Filing date: **12/20/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91209148
Party	Defendant Fareportal, Inc.
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Date	12/20/2013
Attachments	Applicant Initial Disclosure 148.pdf(1120247 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of:

Application No.: 85566395
Filed: March 12, 2012
Trademark: CHEAPOAIR.COM
Applicant: Fareportal, Inc.

AMERICAN TRAVEL SOLUTIONS, LLC.

Opposer,

v.

Cancellation No. 91209148

FAREPORTAL, INC.

Applicant.

PETITIONER'S INITIAL DISCLOSURES

Applicant, Fareportal, Inc. ("Applicant"), by and through undersigned counsel, and pursuant to 37 C.F.R. § 2.120 and Fed. R. Civ. 26(a)(1), hereby serves its Initial Disclosures to Opposer, American Travel Solutions, LLC. ("Opposer") and states as follows:

A. The name and, if known, the address and telephone number of each individual likely to have discoverable information relevant to disputed facts alleged with particularity in the pleadings, identifying the subjects of the information;

1. Mohammed Zunaid, (Fareportal, Inc., 135 West 50th Street, 5th Fl., NY, NY 10020). This individual has knowledge of Applicant's business internet operations and activities. In addition, he has knowledge of the use and ownership of the Applicant's mark; design, inspiration and creation of Applicant's mark; Applicant's business operations and activities; Applicant's goods and services; Applicant's trademark application; facts and defenses alleged in the Notice of Opposition and answer thereto.
2. Brijen Rajput, (Fareportal, Inc., 135 West 50th Street, 5th Fl., NY, NY 10020). This individual has knowledge of Applicant's marketing service. In addition, he has knowledge of the use and ownership of the Applicant's mark; design, inspiration and creation of Applicant's mark; Applicant's business operations and activities; Applicant's goods and

services; Applicant's trademark application; facts and defenses alleged in the Notice of Opposition and answer thereto.

3. Thomas Spagnola, (Fareportal, Inc., 135 West 50th Street, 5th Fl., NY, NY 10020). This individual has knowledge of Applicant's supplier relations and partnerships. In addition, he has knowledge of the use and ownership of the Applicant's mark; design, inspiration and creation of Applicant's mark; Applicant's business operations and activities; Applicant's goods and services; Applicant's trademark application; facts and defenses alleged in the Notice of Opposition and answer thereto.
4. Eric Fichtelberg, c/o Opposer's counsel. This individual is believed to have knowledge of Opposer's business internet operations and activities. In addition he is believed to have knowledge of the use and ownership of the Opposer's marks, Opposer's business operations and activities; Opposer's products and services, Opposer's assertions and the facts alleged in the Notice of Opposition and Answer.
5. Jeff Klee, c/o Opposer's counsel. This individual is believed to have knowledge of Opposer's business and marketing operations. In addition he is believed to have knowledge of the use and ownership of the Opposer's marks, Opposer's business operations and activities; Opposer's products and services, Opposer's assertions and the facts alleged in the Notice of Opposition and Answer.

In addition to the foregoing Applicant submits that the following may have some knowledge relevant to the Opposition: officers, directors and employees of Applicant; officers, directors and employees of Opposer; users of Applicant and Opposer's services.

Applicant reserves the right to amend this list upon identification of the other individuals through discovery or through development of the issues.

B. A description by category and location of, all documents, data compilations, and tangible things in the possession, custody, or control of the party that are relevant to disputed facts alleged with particularity in the pleadings;

Applicant intends to rely on documents which demonstrate: (i) Applicant's use and promotion of its mark in commerce, (ii) the services offered by Applicant under its mark, (iii) documents showing Opposer's mark and its use of the mark for specific services, (iv) documents regarding the allegations in the Opposition. These documents are being gathered and will be kept at either Applicant's place of business or the offices of Applicant's counsel. In addition, Applicant intends to seek production of documents from Opposer relevant to the issues in this proceeding, and to rely on such documents. Applicant also reserves the right to rely on other documents as necessary to rebut documents, affirmative defenses, or arguments advanced by Opposer. Furthermore, Applicant seeks a confidentiality agreement to protect future use of any documents provided in discovery.

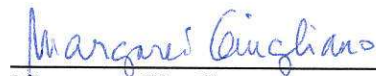
Applicant reserves the right to amend this list upon identification of the documents and things through discovery or through development of the issues.

C. A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered; and

Not applicable in a TTAB proceeding.

D. For inspection and copying as under Rule 34 any insurance agreement under which person carrying on an insurance business may be liable to satisfy part or all of a judgment any which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment

Not applicable in a TTAB proceeding.



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ATTORNEY FOR APPLICANT

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the Applicant's Rule 26 (A) (1) Initial Disclosures has been served on the following by delivering said copy on December 20, 2013 via first class mail to counsel for the Opposer at the following address:

Colin T J Obrien
Partridge IP LAW PC
161 NORTH CLARK, SUITE 4700
CHICAGO, IL 60601
UNITED STATES

By 
Margaret Giugliano